

CHAPTER NO. 479

HOUSE BILL NO. 778

By Representatives Stulce, Sharp

Substituted for: Senate Bill No. 1144

By Senator Crutchfield

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 221, Part 2 relative to sanitary sewers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-221-209, is amended by designating the existing language as subsection (a) and by adding the following new subsection (b):

(b)(1) IF a water and wastewater treatment authority, created pursuant to Tennessee Code Annotated, Title 68, Chapter 221, Part 6, owns a sanitary sewer funded in whole or in part through a grant obtained under this part; and

IF such authority installed the sanitary sewer, contracted with an entity to install the sanitary sewer, or such sanitary sewer was conveyed to the authority after installation,

THEN such authority is responsible for maintaining the sanitary sewer and building service, including couplings and fittings thereto, to which the building lateral sewer of the residential or commercial customer is connected. In no event shall a residential or commercial customer be responsible to maintain that portion of any lateral or connection that is located beyond the property line of such customer.

(2) As used in this subsection;

(A) "Building service" means a saddle or "Y" connection to a lateral or branch sewer for connection of a building sewer also called a building lateral sewer.

(B) "Building lateral sewer" means a gravity-flow pipeline connecting a building wastewater collection system to a building service. Building lateral sewer is also called a "house connection" or a "service connection".

(3) Such water and wastewater treatment authority is liable upon a showing of negligence for any damage incurred by such residential or commercial customers that is caused by damage to or failure of such sanitary sewer or building service, including couplings and fittings thereto.

(4) The provisions of this subsection shall not apply in any county having a population of not less than eighty thousand (80,000) nor more than eighty-three thousand (83,000) nor in any county having a population of not less than sixty seven thousand six hundred (67,600) nor more than sixty-seven thousand nine hundred (67,900), according to the 1990 Federal Census or any subsequent Federal Census.

SECTION 2 This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 27, 1999


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 17th day of June 1999


DON SUNDQUIST, GOVERNOR